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DELTA STEWARDSHIP COUNCIL

A California State Agency

MEMORANDUM

Date: January 18, 2018

To: Jessica Law, Chief Deputy Executive Officer

From: Ron Melcer, Senior Environmental Scientist (Supervisor)

Subject: Update on the Approach and Timeline of the Ecosystem Amendment to the Delta Plan

Chair
Randy Fiorini

Members
Frank C. Damrell, Jr.
Patrick Johnston
Susan Tatayon
Skip Thomson
Ken Weinberg
Michael Gatto

Executive Officer
Jessica R. Pearson

At the December 2017 Council meeting, staff provided a memorandum updating the Council on recent and ongoing efforts to develop the Ecosystem Amendment to the Delta Plan, focusing on outreach, the development of the task order with the consultant, and the amendment timeline. This memorandum updates the Council on the progress and provides an updated amendment timeline.

Background

The Delta Reform Act of 2009 requires that the Council adopt a Delta Plan to achieve the coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place (Water Code Section 85000). The Delta Plan was adopted in 2013, with reviews intended to occur every five years.

Since 2013, significant progress in project implementation and a shift in State and federal priorities in the Delta has resulted in new opportunities for Delta ecosystem protection, restoration, and enhancement. In addition, new research and scientific information provides an improved understanding of key issues such as climate change effects and restoration approaches within the Delta and its watershed. As such, Council staff is developing an amendment of the Plan's Chapter 4, *Protect, Restore, and Enhance the Delta Ecosystem* that will capitalize on these advances and develop a new amendment suited to achieve the ecological goals of the Delta Reform Act.

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

– CA Water Code §85054

Overall Progress

Staff has begun a thorough review of the current ecosystem chapter content, including plan narrative, recommendations, and policies and assessing the need for refinement given the synthesis of best available science that is currently underway. At the December 2017 Council meeting, Chair Fiorini confirmed the members of the Council subcommittee (Chair, Vice Chair, and Member Weinberg), which will meet on a monthly basis to provide feedback to staff on the development of the amendment. The first subcommittee meeting was held on Jan. 17, 2018. Council staff are working closely with the consultant team to complete major tasks on schedule and budget. These tasks include:

- Identification, review, and synthesis of relevant scientific documents, studies and technical works related and relevant to the ecosystem amendment.
- Conducting technical analyses and coordination with external expert scientists.
- Assistance with development of draft amendment content including policy analysis and refinement of Chapter 4's narrative, performance measures, policies and recommendations, and CEQA compliance.

A key intermediate milestone will be a set of draft revised performance measures for Council review in March 2018, and a revised Delta Plan Chapter 4 for Council review in May 2018. Outreach and engagement activities will continue to occur throughout the process for development of the Ecosystem Amendment. A public meeting is planned for February where Staff will seek input on the comprehensiveness of the science synthesis paper findings.

Synthesis Papers

Council staff is reviewing the best available science in a number of topic areas and synthesizing the data and conclusions to support an Ecosystem Amendment. To support this effort, Council staff are developing synthesis papers on the following four topic areas:

- Climate Change and the Delta
- Aquatic Ecosystems—Fisheries and the Aquatic Food Web
- Natural Communities—Vegetation and Wildlife Ecology
- Ecosystem Restoration

Collectively, this body of work reviews and synthesizes the best available science and also considers the 2013 Delta Plan Chapter 4 narrative, policies, recommendations, and performance measures for whether and how they could be affected by findings from the science review.

Council Staff will provide a presentation to the Council on the findings of the synthesis papers at the February 2018 Council meeting. A draft version of the Climate Change synthesis paper, along with the outlines for the three other synthesis papers (Aquatic Ecosystems; Natural Communities; and Ecosystem Restoration) are currently being reviewed by the Interagency Committee (IC). All four synthesis papers will be posted to the Council website as a part of the

February 2018 Council meeting materials packet. Feedback from the Council and the IC on the synthesis papers will be incorporated by early March. The Delta Lead Scientist is working with the Delta Independent Science Board's Ecosystem subcommittee to coordinate a review of the synthesis papers and provide preliminary input on the amendment.

Performance Measures

The California Water Code, Section 85308(b), states that the Delta Plan shall "Include quantified or otherwise measurable targets associated with achieving the objectives of the Delta Plan." Chapter 4 of the Delta Plan currently includes 22 administrative, 5 output, and 5 outcome performance measures that provide the Council a platform from which to evaluate the efficacy of Delta Plan implementation. Findings of the synthesis papers described above will inform staff's review and proposed refinement of the current performance measures. The performance measures provide baselines, metrics, and targets for achieving the strategies of the Delta Plan. Draft performance measures are scheduled to be provided to the IC for review during an IC meeting in early March 2018. Council staff will be seeking input from the IC on the technical basis of the baselines, metrics, and targets, and effectiveness of the performance measures as indicators of Delta Plan implementation. The draft performance measures will be presented to the Council at the March 2018 Council meeting. Feedback from the Council and the IC on the draft performance measures will be integrated into staff's development of the draft Ecosystem Amendment.

Explanatory Document

As noted earlier, staff are also preparing an Explanatory Document that will provide guidance to reviewers of the draft Ecosystem Amendment. The Explanatory Document is intended to provide the basis for updated/revised text and additions, and any new supporting figures and appendices that may be included in the Ecosystem Amendment. To help those reading the new version of Chapter 4 understand the basis and reasons for edits/additions compared to the 2013 version, the Explanatory Document will accompany the updated Delta Plan Chapter 4 as an appendix or attachment. Drawing on and directly cross-referencing the synthesis papers, the Explanatory Document will be a key reference for reviewers of the draft (and readers of the future, adopted) version of Delta Plan Chapter 4, helping them understand the basis and rationale for changes. A draft version of the Explanatory Document is scheduled to be provided to the IC for review during an IC meeting scheduled for early April 2018. Feedback from the IC on the Explanatory Document will be integrated into staff's development of the draft Ecosystem Amendment.

Timeline & Anticipated Deliverables

Based on the approach to amending Chapter 4 outlined above, the following is a schedule-based summary of materials anticipated to be delivered for review at the following Council meetings:

- January 2018: Staff provides this update memo to inform the Council of activities related to the amendment of Chapter 4 of the Delta Plan.
- February 2018: Staff provides informational briefing at Council meeting, including presentation of synthesis papers and key findings.

- March 2018: Staff provides informational briefing at Council meeting, including presentation of draft performance measures.
- April 2018: Staff provides an updated memo to inform the Council of activities related to the amendment of Chapter 4 of the Delta Plan.
- May 2018: Staff presents a draft of the Chapter 4 amendment to the Council. Council reviews and provides input on proposed Chapter 4 narrative, policies, recommendations, and performance measures. Council considers approving the draft ecosystem amendment as the proposed project description, under the California Environmental Quality Act (CEQA).
- Spring 2018: Staff conducts public meetings and scoping in order to begin CEQA review.
- Summer 2018: Following Council approval of the proposed project description, staff files Notice of Preparation. The Delta Independent Science Board (Delta ISB) provides advice on the amendment based on best available science.

Next Steps

Staff is currently preparing a proposed draft ecosystem amendment for Council consideration, including refined performance measures and review of policies and recommendations. Ongoing outreach will continue through spring 2018 with the Council's Ecosystem subcommittee, and staff holding more listening sessions with staff from other State, federal, and local agencies; Delta residents; stakeholders; and the public. Staff anticipate holding a public open-house in mid-February to seek input on the scientific basis for amending Chapter 4 of the Delta Plan, with an emphasis on the recommendations provided in the synthesis papers